

This Notice Expires 1 November 1983

PERSONNEL

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2 May 1983

RETIREMENT BENEFITS FOR QUALIFIED FORMER SPOUSES

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1. Under the "Central Intelligence Agency Spouses' Retirement Equity Act of 1982," Congress has required that information be provided to the spouses of current employees regarding retirement benefits for qualified former spouses. A notice has been prepared for their information and will be distributed separately to all Agency employees.

2. In order to accomplish this program as quickly as possible, all employees will receive a copy of the notice and if they currently are married they are required to have the notice read, completed, and acknowledged (signed) and dated by their spouses and returned to their administrative or personnel officer. Employees who are single should sign, date, and return the notice to their administrative or personnel officers.

3. Administrative or personnel officers will maintain a record of all personnel in their area of responsibility to ensure that all Agency employees return the notice completed, signed, and dated. The notices will be forwarded to the Office of Personnel for retention in the official personnel files.

Harry E. Fitzwater
Deputy Director
for
Administration

DISTRIBUTION: ALL EMPLOYEES

- Married employees are required to have their spouse read, acknowledge (sign), date and return this form.
- Single employees must sign, date and return this form.

29 April 1983

RETIREMENT BENEFITS FOR QUALIFIED FORMER SPOUSES

1. The purpose of this Notice is to advise you of recent changes in law which may affect your future retirement benefits. A married employee who retires after 15 November 1982, and who has served overseas five years, must take a reduction in his or her annuity in order to provide a survivor annuity for his or her spouse, unless both parties jointly elect in writing to waive or reduce the survivor benefit. In the absence of such an election, the spouse will be entitled to a survivor annuity equal to 55 percent of the employee's full annuity, subject to any prior claim to a portion of that annuity by a former spouse (see below) to whom the employee was married while accumulating credit towards retirement. In addition, a spouse must be notified of, and consent in writing to, any payment of a lump sum in lieu of annuity to or for the benefit of the employee.

2. The law also provides that qualified spouses of employees of the Organization who are divorced from the employee after 15 November 1982 shall, in the absence of a contrary court order or spousal agreement, be entitled to share in the retirement annuity and survivor annuity or lump-sum disbursements paid from retirement funds. For the purpose of these benefits, a "former spouse" is defined as a former wife or husband of an employee or former employee who was married to that employee for not less than ten years during periods of service by that employee which are creditable towards retirement, at least five years of which were spent outside the United States by both the employee and the former spouse. If married to the employee throughout the employee's entire creditable service, the former spouse is entitled to 50 percent of the employee's lifetime pension (unless a court order or spousal agreement provides otherwise). If married to the employee for less than the entire period of creditable service, the former spouse is entitled to a proportionate share of 50 percent of such annuity based on the length of the marriage to the employee during periods of creditable service compared to the total period of creditable service. For example, if the employee worked for the federal government for 30 years, and you were married to the employee for 20 of those 30 years, you would be entitled to two-thirds of 50 percent of the employee's lifetime pension. Again, this entitlement is subject to modification by court order or spousal agreement.

3. In addition, a former spouse shall, in the absence of a contrary court order or spousal agreement, be entitled to a survivor annuity equal to 55 percent of the full amount of the employee's annuity, if married to the employee throughout the employee's entire creditable service. If married to the employee for less than the latter's entire creditable service, the former spouse is entitled to a proportionate share of 55 percent of the full annuity.

5. If in the future you are divorced and you believe you are eligible for benefits, it would be in your interest to notify the Organization of your marital status through your spouse's official personnel channel. Please date, sign and return this notice.

have read and acknowledge this Notice concerning benefits for qualified former spouses.

Date _____

Date _____